

UNITED STATES DISTRICT COURT

Southern District Of California
Office Of The Clerk
880 Front Street, Room 4290
San Diego, California 92101-8900
Phone: (619) 557-5600
Fax: (619) 702-9900

FILED

MAY 31 2007

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

W. Samuel Hamrick, Jr.
Clerk of Court

May 29, 2007

Clerk, U.S. District Court
Northern District of California
1301 Clay Street, Suite 400 S
Oakland, CA 94612-5212

Transfer of Jurisdiction

Our Case #: 03-CR-293-L
Re: Jonathan Paul Linder

CR-07-294-MJJ

Dear Clerk of the Court:

Enclosed please find the following documents:

Certified copy of Transfer of Jurisdiction
Certified copy of indictment, information or complaint
Certified copy of Judgment
Certified copy of docket sheet
Certified copy of any OSC's

Please acknowledge receipt of the above documents on the enclosed copy of this letter.

Sincerely yours,

W. Samuel Hamrick, Jr.
Clerk of Court

By: s/ M. Jenkins
M. Jenkins, Deputy Clerk

PROB 22 (Rev. 2/88)		DOCKET NUMBER (Tran. Court) 03-CR-0293-001-L	
TRANSFER OF JURISDICTION		DOCKET NUMBER (Rec. Court) 07 MAY 25 2007 00294	
NAME AND ADDRESS OF SUPERVISED RELEASEE Jonathan Paul LINDER 201 University Avenue, H7 Berkeley, CA 84710		DIVISION San Diego	
DISTRICT Southern California		NAME OF SENTENCING JUDGE M. James Lorenz	
DATES OF SUPERVISED RELEASE		FROM 11/10/04	TO 11/09/08
OFFENSE 21 U.S.C. §§ 952 and 960, Importation of Marijuana			
PART 1 - ORDER TRANSFERRING JURISDICTION			
UNITED STATES DISTRICT COURT FOR THE <u>SOUTHERN</u> DISTRICT OF <u>CALIFORNIA</u>			
IT IS HEREBY ORDERED that pursuant to 18 U.S.C. § 3605 the jurisdiction of the Supervised Releasee named above be transferred with the records of the Court to the United States District Court for the <u>NORTHERN</u> DISTRICT OF <u>CALIFORNIA</u> upon that Court's order of acceptance of jurisdiction. This Court hereby expressly consents that the period of Supervised Release may be changed by the District Court to which this transfer is made without further inquiry of this court.*			
Date 4/26/07		M. James Lorenz U.S. District Judge	
*This sentence may be deleted at the discretion of the transferring Court.			
PART 2 - ORDER ACCEPTING JURISDICTION			
UNITED STATES DISTRICT COURT FOR THE <u>NORTHERN</u> DISTRICT OF <u>CALIFORNIA</u>			
IT IS HEREBY ORDERED that jurisdiction over the above-named Supervised Releasee be accepted and assumed by this Court from and after the entry of this order.			
Effective Date MAY 11 2007		United States District Judge	

I hereby attest and certify on 5-29-07
That the foregoing document is a full, true and correct
copy of the original on file in my office and in my legal
custody.

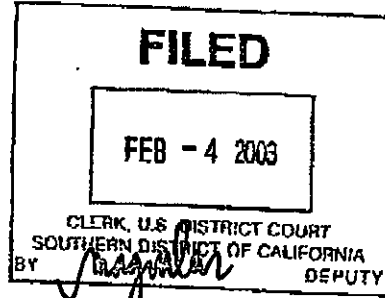
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

By [Signature] Deputy

M. Jenkins

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA



UNITED STATES OF AMERICA,
Plaintiff,

v.

EDWARD SUAREZ (1),
NATALIA GOMEZ (2),
Defendants.

Criminal Case No. 03CR0293-L

I N F O R M A T I O N

Title 21, U.S.C., Secs. 952 and
960 - Importation of Marijuana;
Title 18, U.S.C., Sec. 2 -
Aiding and Abetting (Felony)

The United States Attorney charges:

On or about January 5, 2003, within the Southern District of
California, defendants EDWARD SUAREZ and NATALIA GOMEZ did knowingly
and intentionally import 100 kilograms and more, to wit: approximately
407.05 kilograms (895.51 pounds), of marijuana, a Schedule
I Controlled Substance, into the United States from a place outside
thereof; in violation of Title 21, United States Code, Sections 952,
960 and Title 18, United States Code, Section 2.

DATED: 2-4-03

CAROL C. LAM
United States Attorney

[Signature]
MATTHEW L. CLMSTED
Assistant U.S. Attorney

KM:fer:Imperial
1/29/03

AO 245B (Rev. 9/00) Judgment in a Criminal Case
Sheet 1

FILED

03 JUL 29 AM 8:39

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA

v.

JONATHN PAUL LINDER (I)

JUDGMENT IN A CRIMINAL CASE DEPUTY
(For Offenses Committed On or After November 1, 1987)

Case Number: 03CR0293-L

CAREY CARUSO

Defendant's Attorney

REGISTRATION NO. 84052198



THE DEFENDANT:

☒ pleaded guilty to count(s) 1 OF THE INDICTMENT

☐ was found guilty on count(s)
after a plea of not guilty.

Accordingly, the defendant is adjudged guilty of such count(s), which involve the following offense(s):

Title & Section	Nature of Offense	Count Number(s)
21 USC 952, 960	IMPORTATION OF MARIJUANA	1

The defendant is sentenced as provided in pages 2 through 4 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

☐ The defendant has been found not guilty on count(s)☒ Count(s) REMAINING is ☒ are ☐ dismissed on the motion of the United States.☒ Assessment : \$ 100.00 TO BE PAID THROUGH THE INMATE FINANCIAL RESPONSIBILITY PROGRAM☒ Fine ordered waived.

IT IS ORDERED that the defendant shall notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States attorney of any material change in the defendant's economic circumstances.

JULY 25, 2003

Date of Imposition of Sentence

I hereby attest and certify on 5-29-07
That the foregoing document is a full, true and correct
copy of the original on file in my office and in my legal
custody.

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

By M. Jenkins Deputy

M. Jenkins

HON. M. JAMES LORENZ
UNITED STATES DISTRICT JUDGE

Entered Date:

7-29-03

03CR0293-L

35

AO 245B (Rev. 9/00) Judgment in Criminal Case
Sheet 2 — Imprisonment

Judgment — Page 2 of 4

DEFENDANT: JONATHN PAUL LINDER (1)
CASE NUMBER: 03CR0293-L

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of
TWENTY-FOUR (24) MONTHS

☒ The court makes the following recommendations to the Bureau of Prisons:

THAT THE DEFENDANT BE PLACED IN A BOOT-CAMP FACILITY AND THAT HE BE PLACED IN THE
500 HOUR DRUG TREATMENT PROGRAM

☐ The defendant is remanded to the custody of the United States Marshal.

☐ The defendant shall surrender to the United States Marshal for this district:

☐ at _____ ☐ a.m. ☐ p.m. on _____
as notified by the United States Marshal.

☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

☐ before _____
☐ as notified by the United States Marshal.
☐ as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____
DEPUTY UNITED STATES MARSHAL

03CR0293-L

DEFENDANT: JONATHN PAUL LINDER (1)
CASE NUMBER: 03CR0293-L

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of:

FOUR (4) YEARS

MANDATORY CONDITIONS

The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

The defendant shall not illegally possess a controlled substance.

For offenses committed on or after September 13, 1994:

The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter.

☐ The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse.

The defendant shall not possess a firearm, destructive device, or any other dangerous weapon.

If this judgment imposes a fine or a restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine or restitution that remains unpaid at the commencement of the term of supervised release in accordance with the Schedule of Payments set forth in this judgment.

The defendant shall comply with the standard conditions that have been adopted by this court. The defendant shall also comply with any special conditions imposed.

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

03CR0293-L

DEFENDANT: JONATHN PAUL LINDER (1)
CASE NUMBER: 03CR0293-L**SPECIAL CONDITIONS OF SUPERVISION**

- ☒ Not possess any firearm, explosive device or other dangerous weapon.
- ☒ Submit to a search of person, property, residence, abode or vehicle, at a reasonable time and in a reasonable manner, by the probation officer.
- ☐ The defendant shall violate no laws, federal, state and local, minor traffic excepted.
- ☐ If deported, excluded, or allowed to voluntarily return to Mexico, not reenter the United States illegally and report to the probation officer within 24 hours of any reentry to the United States; supervision waived upon deportation, exclusion, or voluntary departure.
- ☒ Not operate a motor vehicle unless properly licensed to do so.
- ☐ Not associate with undocumented aliens or alien smugglers.
- ☐ Not reenter the United States illegally.
- ☒ Not enter nor reside in the Republic of Mexico without written permission of the Court or probation officer.
- ☒ Report all vehicles owned or operated, or in which you have an interest, to the probation officer.
- ☐ Participate in a program of drug or alcohol abuse treatment including urinalysis testing and counseling as directed by the probation officer.
- ☐ Not possess any narcotic drug or controlled substance without a lawful medical prescription.
- ☐ Not associate with known users of, smugglers of, or dealers in narcotics, controlled substances, or dangerous drugs in any form.
- ☐ Participate in a program of mental health treatment as directed by the probation officer, take all medications as prescribed by a psychiatrist/physician, and not discontinue any medication without permission. The Court authorizes the release of the presentence report and available psychological evaluations to the mental health provider, as approved by the probation officer. Defendant shall sign any releases necessary to permit doctor to talk to probation officer.
- ☐ Take no medication containing a controlled substance without valid medical prescription, and provide proof of prescription to the probation officer, if directed.
- ☐ Participate in a mental health treatment program as directed by the probation office.
- ☐ Provide complete disclosure of personal and business financial records to the probation officer as requested.
- ☐ Be prohibited from opening checking accounts or incurring new credit charges or opening additional lines of credit without approval of the probation officer.
- ☐ Provide complete disclosure of personal and business financial records to the probation officer as requested.
- ☐ Seek and maintain full time employment and/or schooling or a combination of both.
- ☒ Resolve all outstanding traffic issues within 120 days.
- ☐ Complete _____ hours of community service in a program approved by the probation officer within _____
- ☐ Reside in a Community Corrections Center (CCC) as directed by the probation officer for a period of _____
- ☐ Reside in a Community Corrections Center (CCC) as directed by the Bureau of Prisons for a period of _____ commencing upon release from imprisonment.
- ☐ Remain in your place of residence for a period of _____, except while working at verifiable employment, attending religious services or undergoing medical treatment.
- ☐ Not engage in any form of telemarketing, as defined in 18 USC 2325, without the written permission of the probation officer.
- ☐ The defendant shall participate for a period of _____ in a home detention program which includes electronic monitoring and shall observe all rules of such program, as directed by the probation officer. The defendant shall pay the costs of electronic monitoring to the contract vendor, not to exceed the sum of \$ _____ for each day of participation in the electronic monitoring program. The defendant shall provide proof of payment as directed by the probation officer.

AO 245B (Rev. 9/00) Judgment in a Criminal Case
Sheet 1

FILED

03 OCT 16 AM 8:38

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA

v.

JONATHAN PAUL LINDER (I)
aka: Edward Suarez

AMENDED JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

Case Number: 03CR0293-L

CAREY CARUSO

Defendant's Attorney

REGISTRATION NO. 84052198

☒ Correction of Sentence for Clerical Mistake (Fed. R. Crim. P.36)

THE DEFENDANT:

☒ pleaded guilty to count(s) 1 OF THE INDICTMENT☐ was found guilty on count(s)

after a plea of not guilty.

Accordingly, the defendant is adjudged guilty of such count(s), which involve the following offense(s):

Title & Section	Nature of Offense	Count Number(s)
21 USC 952, 960	IMPORTATION OF MARIJUANA	1

The defendant is sentenced as provided in pages 2 through 4 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

☐ The defendant has been found not guilty on count(s)☒ Count(s) REMAINING is ☒ are ☐ dismissed on the motion of the United States.☒ Assessment: \$ 100.00 TO BE PAID THROUGH THE INMATE FINANCIAL RESPONSIBILITY PROGRAM.☒ Fine ordered waived.

IT IS ORDERED that the defendant shall notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States attorney of any material change in the defendant's economic circumstances.

JULY 25, 2003

Date of Imposition of Sentence

I hereby attest and certify on 5-29-07
That the foregoing document is a full, true and correct
copy of the original on file in my office and in my legal
custody.

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

By M. Jenkins Deputy

M. Jenkins

HON. M. JAMES LORENZ
UNITED STATES DISTRICT JUDGE

Entered Date:

10/16/03

03CR0293-L

36

AO 245B (Rev. 9/00) Judgment in Criminal Case
Sheet 2 — Imprisonment

Judgment — Page 2 of 4

DEFENDANT: JONATHAN PAUL LINDER (1)
CASE NUMBER: 03CR0293-L

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of
TWENTY-FOUR (24) MONTHS

☒ The court makes the following recommendations to the Bureau of Prisons:

THAT THE DEFENDANT BE PLACED IN A BOOT-CAMP FACILITY AND THAT HE BE PLACED IN THE
500 HOUR DRUG TREATMENT PROGRAM.

☐ The defendant is remanded to the custody of the United States Marshal.

☐ The defendant shall surrender to the United States Marshal for this district:

☐ at _____ ☐ a.m. ☐ p.m. on _____
as notified by the United States Marshal.

☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

☐ before _____
☐ as notified by the United States Marshal.
☐ as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____
DEPUTY UNITED STATES MARSHAL

03CR0293-L

DEFENDANT: JONATHAN PAUL LINDER (I)
CASE NUMBER: 03CR0293-L

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of:

FOUR (4) YEARS

MANDATORY CONDITIONS

The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

The defendant shall not illegally possess a controlled substance.

For offenses committed on or after September 13, 1994:

The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter.

☐ The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse.

The defendant shall not possess a firearm, destructive device, or any other dangerous weapon.

If this judgment imposes a fine or a restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine or restitution that remains unpaid at the commencement of the term of supervised release in accordance with the Schedule of Payments set forth in this judgment.

The defendant shall comply with the standard conditions that have been adopted by this court. The defendant shall also comply with any special conditions imposed.

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

AO 245B (Rev. 9/00) Judgment in a Criminal Case
Sheet 3 — Continued 2 — Supervised Release

Judgment—Page 4 of 4

DEFENDANT: JONATHAN PAUL LINDER (1)
CASE NUMBER: 03CR0293-L

SPECIAL CONDITIONS OF SUPERVISION

- ☒ Not possess any firearm, explosive device or other dangerous weapon.
- ☒ Submit to a search of person, property, residence, abode or vehicle, at a reasonable time and in a reasonable manner, by the probation officer.
- ☐ The defendant shall violate no laws, federal, state and local, minor traffic excepted.
- ☐ If deported, excluded, or allowed to voluntarily return to Mexico, not reenter the United States illegally and report to the probation officer within 24 hours of any reentry to the United States; supervision waived upon deportation, exclusion, or voluntary departure.
- ☒ Not operate a motor vehicle unless properly licensed to do so.
- ☐ Not associate with undocumented aliens or alien smugglers.
- ☐ Not reenter the United States illegally.
- ☒ Not enter nor reside in the Republic of Mexico without written permission of the Court or probation officer.
- ☒ Report all vehicles owned or operated, or in which you have an interest, to the probation officer.
- ☐ Participate in a program of drug or alcohol abuse treatment including urinalysis testing and counseling as directed by the probation officer.
- ☐ Not possess any narcotic drug or controlled substance without a lawful medical prescription.
- ☐ Not associate with known users of, smugglers of, or dealers in narcotics, controlled substances, or dangerous drugs in any form.
- ☐ Participate in a program of mental health treatment as directed by the probation officer, take all medications as prescribed by a psychiatrist/physician, and not discontinue any medication without permission. The Court authorizes the release of the presentence report and available psychological evaluations to the mental health provider, as approved by the probation officer. Defendant shall sign any releases necessary to permit doctor to talk to probation officer.
- ☐ Take no medication containing a controlled substance without valid medical prescription, and provide proof of prescription to the probation officer, if directed.
- ☐ Participate in a mental health treatment program as directed by the probation office.
- ☐ Provide complete disclosure of personal and business financial records to the probation officer as requested.
- ☐ Be prohibited from opening checking accounts or incurring new credit charges or opening additional lines of credit without approval of the probation officer.
- ☐ Provide complete disclosure of personal and business financial records to the probation officer as requested.
- ☐ Seek and maintain full time employment and/or schooling or a combination of both.
- ☒ Resolve all outstanding warrants within 120 days.
- ☐ Complete _____ hours of community service in a program approved by the probation officer within _____
- ☐ Reside in a Community Corrections Center (CCC) as directed by the probation officer for a period of _____
- ☐ Reside in a Community Corrections Center (CCC) as directed by the Bureau of Prisons for a period of _____ commencing upon release from imprisonment.
- ☐ Remain in your place of residence for a period of _____, except while working at verifiable employment, attending religious services or undergoing medical treatment.
- ☐ Not engage in any form of telemarketing, as defined in 18 USC 2325, without the written permission of the probation officer.
- ☐ The defendant shall participate for a period of _____ in a home detention program which includes electronic monitoring and shall observe all rules of such program, as directed by the probation officer. The defendant shall pay the costs of electronic monitoring to the contract vendor, not to exceed the sum of \$ _____ for each day of participation in the electronic monitoring program. The defendant shall provide proof of payment as directed by the probation officer.

PROB 12C
(04/05)

UNITED STATES DISTRICT COURT
FOR THE
SOUTHERN DISTRICT OF CALIFORNIA

May 16, 2006

FILED
06 MAY 19 PM 12:53

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Jonathan Paul LINDER (English)
Charged As: Edward Suarez

Dkt No.: 03-CR-0293-001-L DEPUTY

Reg. No.: 84052-198

Name of Sentencing Judicial Officer: The Honorable M. James Lorenz, U.S. District Judge

Date of Sentence: July 25, 2003

Original Offense: 21 U.S.C. §§ 952 and 960, Importation of Marijuana, a Class B felony.

Sentence: 24 months custody, 4 years supervised release (*Special Conditions: not possess firearms; submit to search; not operate a motor vehicle unless properly licensed; not enter or reside in the Republic of Mexico without the permission of the Court or probation officer; report all vehicles owned and operated; and resolve all outstanding warrants within 120 days*). \$100 special assessment.

Type of Supervision: Supervised Release

Date Supervision Commenced: November 10, 2004

Asst. U.S. Atty.: Kevin M. Mulcahy

Defense Counsel: Carey Caruso (Retained)
(310) 553-8580

Prior Violation History: None

PETITIONING THE COURT

TO ISSUE A NO-BAIL BENCH WARRANT

46

PROB 12C

Name of Offender: Jonathan Paul LINDER

May 16, 2006

Docket No.: 03-CR-0293-001-L

Page 2

The probation officer believes that the offender has violated the following conditions of supervision:

CONDITIONS**ALLEGATIONS OF NONCOMPLIANCE****(Mandatory Condition)**

Not commit another federal, state, or local crime. (nv1)

1. On January 12, 2006, Mr. Linder resisted arrest, in violation of California Penal Code § 148, as evidenced by Contra Costa County Sheriff's Department arrest report No. 06-1077.

(Standard Condition)

Notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer. (nv16)

2. Mr. Linder failed to notify his probation of his law enforcement contacts occurring on January 12 and 13, 2006.

(Standard Condition)

Report to the probation officer and submit a truthful and complete written report within the first five days of the month. (nv7)

3. Mr. Linder failed to report his law enforcement contacts occurring on January 12, and 13, 2006, on his written report for January 2006.

Grounds for Revocation: As to the above-three allegations, I have received and reviewed the Contra Costa County Sheriff's Department arrest report No. 06-1077 which confirms the following: On January 12, 2006, Mr. Linder was observed by a sheriff's deputy riding a bicycle without a light. Mr. Linder did not obey the deputy's repeated commands to stop and was finally stopped and taken into custody with the assistance of a police dog. After receiving medical treatment for dog bite wounds, he was cited and released from custody. On January 13, 2006, Mr. Linder went to the sheriff's station to claim his property. At the station the offender was uncooperative and refused to sign his name on the property cards writing, "without prejudice without recourse" on both cards. Not only did Mr. Linder failed to report both law enforcement contacts to his probation officer within the required 72 hour time-frame, but he failed to list the contacts on his monthly report for January 2006, as required. Attempts by the probation officer to contact Mr. Linder have been unsuccessful and his whereabouts is unknown.

Recent contact with the Contra Costa County District Attorney's Office reveals they have not filed any charges in connection with the incident, and the case is still under review.

PROB 12C

Name of Offender: Jonathan Paul LINDER

May 16, 2006

Docket No.: 03-CR-0293-001-L

Page 3

U.S. Probation Officer Recommendation: If found in violation, that supervised release be revoked.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: May 16, 2006

Respectfully submitted:

Reviewed and approved:

by

E. Peter Nover
U.S. Probation Officer
(619) 557-5759

Julia Jauregui
Supervising U.S. Probation Officer

Attachments

THE COURT ORDERS:

☒ A NO-BAIL BENCH WARRANT BE ISSUED BASED UPON A FINDING OF PROBABLE CAUSE TO BRING THE OFFENDER BEFORE THE COURT TO SHOW CAUSE WHY SUPERVISED RELEASE SHOULD NOT BE REVOKED FOR THE ALLEGED VIOLATIONS.

☐ Other _____

M. James Lorenz
The Honorable M. James Lorenz
U.S. District Judge

5/18/06
Date

I hereby attest and certify on 5-29-07
That the foregoing document is a full, true and correct
copy of the original on file in my office and in my legal
custody.

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

By M. Jenkins Deputy

PN/

ox

TERMED

**U.S. District Court
Southern District of California (San Diego)
CRIMINAL DOCKET FOR CASE #: 3:03-cr-00293-L-ALL
Internal Use Only**

Case title: USA v. Linder
Magistrate judge case number: 2:03-mj-08014

Date Filed: 02/04/2003

Assigned to: Judge M. James
Lorenz

Defendant

Jonathan Paul Linder (1)
TERMINATED: 07/25/2003
also known as
Edward Suarez (1)

represented by **Jonathan Paul Linder**
84052-198
Phoenix Federal Correctional
Institute
37910 N 45th Ave
Phoenix, AZ 85086
PRO SE

Jeanne Geren Knight
Law Offices of Jeanne G Knight
110 West C Street
Suite 2108
San Diego, CA 92101
(619)260-2636
Fax: (619)260-0058
TERMINATED: 02/04/2003
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: CJA Appointment

I hereby attest and certify on 5-29-07
That the foregoing document is a full, true and correct
copy of the original on file in my office and in my legal
custody.

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

By  Deputy
M. Jenkins

Mitchell Sperling
Sperling and Margolin
6355 Topanga Cyn Boulevard
Woodland Hills, CA 91367
(818)992-6677
Fax: (818)992-6674

TERMINATED: 07/25/2003
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained

Pending Counts

21:952 and 960; 18:2 -
Importation of Marijuana; Aiding
and Abetting (Felony)
(1)

Disposition

Custody of the BOP for a term of
24 months, 4 years spv release,
assessment \$100.00, no fine

Highest Offense Level
(Opening)

Felony

Terminated Counts

None

Disposition

Highest Offense Level
(Terminated)

None

Complaints

None

Disposition

Assigned to: Judge M. James
Lorenz

Defendant

Natalia Gomez (2)
TERMINATED: 04/12/2004

represented by **Roseline Dergregorian Feral**
Law Offices of Roseline D Feral
444 West C Street
Suite 310
San Diego, CA 92101
(619)232-1010
Fax: (619)231-2505
Email: RFERAL@aol.com
TERMINATED: 04/12/2004
LEAD ATTORNEY

ATTORNEY TO BE NOTICED
Designation: CJA Appointment

Pending Counts

None

Highest Offense Level
(Opening)

None

Terminated Counts

21:952 and 960; 18:2 -
Importation of Marijuana; Aiding
and Abetting (Felony)
(1)

Disposition

govt's oral motion to dismiss
indictment - grnated with
prejudice

Highest Offense Level
(Terminated)

Felony

Complaints

None

Disposition**Plaintiff**

United States of America

represented by **U S Attorney CR**
U S Attorneys Office Southern
District of California
Criminal Division
880 Front Street
Room 6293
San Diego, CA 92101
(619)557-5610
Fax: (619)557-5917
Email: Efile.dkt.gc2@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
01/17/2002	<u>9</u>	BOND (\$35,000 CS) by Natalia Gomez signed by Judge Schmitt abstract issued to USM [2:03-m -8014] (kat) (Entered: 01/21/2003)
01/05/2003		DFTS Edward Suarez, Natalia Gomez arrested [2:03-m -8014] (kat) (Entered: 01/06/2003)
01/06/2003	<u>1</u>	COMPLAINT against dfts Edward Suarez, Natalia Gomez , signed by Magistrate Judge Roger T. Benitez [2:03-m -8014] (kat) (Entered: 01/06/2003)
01/06/2003	<u>2</u>	Enter Order by Magistrate Judge Roger T. Benitez: Specially appearing attorney FD as to both dfts first appearance of Edward Suarez on cmp Attorney Jeanne Geren Knight appointed , first appearance of Natalia Gomez on cmp Attorney Roseline Dergregorian Feral appointed , Dfts Edward Suarez, Natalia Gomez informed of charges , USA oral motion for detention as to dfts Edward Suarez, Natalia Gomez , preliminary hrg set for 1:30 1/21/03 for Edward Suarez, for Natalia Gomez before Mag Judge Roger Benitez: detention hearing due to risk of flight set for 1:30 1/9/03 for Edward Suarez, for Natalia Gomez before Mag Judge Roger Benitez ; Court Reporter: BEN03-1:1-260;644-804 [2:03-m -8014] (kat) Modified on 01/06/2003 (Entered: 01/06/2003)
01/06/2003	<u>3</u>	FINANCIAL AFFIDAVIT by defendant Natalia Gomez [2:03-m -8014] (kat) (Entered: 01/08/2003)
01/06/2003	<u>4</u>	FINANCIAL AFFIDAVIT by defendant Edward Suarez [2:03-m -8014] (kat) (Entered: 01/08/2003)
01/09/2003	<u>5</u>	Minutes: Enter Order by Magistrate Judge Roger T. Benitez: Specially appearing attorney Scott Pactor for dft #1 only Ruling on USA oral motion for detention; motion granted as to dft #1 only as to dft Edward Suarez, Dft ordered detained without prejudice. AUSA to prepare order. Detention hearing cont to 1:30 1/16/03 for Natalia Gomez before Mag Judge Roger Benitez. ; Court Reporter: BEN03-1:4630-5345 [2:03-m -8014] (kat) (Entered: 01/21/2003)
01/09/2003		Docket Modification (Utility Event) detention hearing held [2:03-m -8014] (kat) Modified on 01/23/2003 (Entered: 01/22/2003)
01/13/2003	<u>6</u>	ORDER of Detention of Edward Suarez pending Trial by

		Magistrate Judge Roger T. Benitez [2:03-m -8014] (kat) Modified on 01/17/2003 (Entered: 01/15/2003)
01/16/2003	<u>7</u>	Minutes: Enter Order by Magistrate Judge Roger T. Benitez: Ruling on USA oral motion for detention; motion denied as dft Natalia Gomez . , \$35,000 C/CS set for Natalia Gomez , detention hearing held; preliminary hrg cont to 1:30 2/4/03 for Natalia Gomez before Mag Judge Roger Benitez. Preliminary hrg date of 1/21/3 vacated. Court Reporter: BEN03-1:2268-3102 [2:03-m -8014] (kat) (Entered: 01/17/2003)
01/16/2003	<u>8</u>	ORDER by Magistrate Judge Roger T. Benitez setting conditions of release for Natalia Gomez restrict travel to State of Ca; do not enter Mexico; psychological counseling as directed by Pretrian services [2:03-m -8014] (kat) (Entered: 01/17/2003)
01/16/2003		Docket Modification (Utility Event) detention hearing held [2:03-m -8014] (kat) Modified on 01/23/2003 (Entered: 01/22/2003)
01/21/2003	<u>10</u>	Minutes: Enter Order by Magistrate Judge Roger T. Benitez: Specially appearing attorney Scott Pactor preliminary hrg cont to 1:30 2/4/03 for Edward Suarez before Mag Judge Roger Benitez ; Court Reporter: BEN03-1:3154-3745 [2:03-m -8014] (kat) Modified on 01/23/2003 (Entered: 01/22/2003)
02/04/2003	<u>11</u>	INFORMATION by USA . Edward Suarez (1) count(s) 1, Natalia Gomez (2) count(s) 1 (mnb) (Entered: 02/05/2003)
02/04/2003	<u>12</u>	WAIVER of Indictment by defendant Edward Suarez (mnb) (Entered: 02/05/2003)
02/04/2003	<u>13</u>	WAIVER of Indictment by defendant Natalia Gomez (mnb) (Entered: 02/05/2003)
02/04/2003	<u>14</u>	Minutes: Enter Order by Magistrate Judge Joseph E. Schmitt: Dft (1) states true name to be Jonathan Paul Linder; dft Jonathan Paul Linder, Natalia Gomez arraigned on the information; dfts enter not guilty pleas; Atty present; withdrawing Jeanne Geren Knight for Jonathan Paul Linder and substituting attorney Mitchell Sperling; disposition hearing set for 8:30 2/18/03 for Jonathan Paul Linder, for Natalia Gomez before Judge M. James Lorenz; Court Reporter: JS03-1:4390-end & 2:0-298 (dkt clerk) (Entered: 02/06/2003)
02/04/2003		Docket Modification (Utility Event) preliminary hrg held as to

		dft Natalia Gomez (dkt clerk) (Entered: 02/07/2003)
02/06/2003	<u>15</u>	Substitution of Attorney and Order by Magistrate Judge Joseph E. Schmitt as to defendant Jonathan Paul Linder: withdrawing attorney Jeanne Geren Knight for Jonathan Paul Linder and substituting attorney Mitchell Sperling (Edward Suarez aka Jonathan Paul Linder) (dkt clerk) (Entered: 02/07/2003)
02/13/2003	<u>16</u>	Stipulation and Order To Continue Hearing Date by Judge M. J. Lorenz as to defendant Jonathan Paul Linder, defendant Natalia Gomez: disposition hearing continued to 2:00 3/17/03 for Jonathan Paul for Natalia Gomez before Judge M. James Lorenz (dft #1 Edward Suarez T/N is Jonathan Paul Linder) (dkt clerk) (Entered: 02/13/2003)
03/03/2003	<u>17</u>	Notice of Motion and Motion by Natalia Gomez for discovery and/or leave to file further motions, motion hrg set for 3/17/03 at 2:00 p.m. (dkt clerk) (Entered: 03/04/2003)
03/03/2003	<u>18</u>	MEMORANDUM of law by defendant Natalia Gomez in support of motions [17-1] and [17-2] (dkt clerk) (Entered: 03/04/2003)
03/17/2003	<u>19</u>	Minutes: Enter Order by Judge M. J. Lorenz; dft Natalia Gomez's appearance waived, dft to file waiver of appearance an dacknowledgment of next ct date; disposition hearing cont to 2:00 4/7/03 for Jonathan Paul Linder, for Natalia Gomez before Judge M. James Lorenz ; Court Reporter: J. Hill (cag) (Entered: 03/18/2003)
03/25/2003	<u>20</u>	Acknowledgement of rights and court date by defendant Natalia Gomez on 4/7/03 at 2:00 for disposition hrg (dkt clerk) (Entered: 03/26/2003)
04/04/2003		Docket Modification (Utility Event) motion for discovery [17-1], motion leave to file further motions, [17-2] (cls) (Entered: 10/17/2003)
04/07/2003	<u>21</u>	Minutes: Enter Order by Judge M. J. Lorenz: disposition hearing continued to 2:00 4/14/03 for Jonathan Paul Linder, for Natalia Gomez before Judge M. James Lorenz; Court Reporter: J. Hill (dkt clerk) (Entered: 04/08/2003)
04/14/2003	<u>22</u>	PLEA Agreement as to Jonathan Paul Linder (dkt clerk) (Entered: 04/15/2003)
04/14/2003	<u>23</u>	PLEA Agreement as to Natalia Gomez (dkt clerk) (Entered: 04/15/2003)

		04/15/2003)
04/14/2003	<u>24</u>	Minutes: Enter Order by Judge M. J. Lorenz Jonathan Paul Linder, (1) count(s) 1, Natalia Gomez (2) count(s) 1 enters guilty plea; dft referred to USPO for PSR ; PO report and sentencing set for 9:00 7/8/03 for Jonathan Paul Linder before Judge M. James Lorenz , deferred prosecution hearing set for 8:30 4/12/04 for Natalia Gomez before Judge M. James Lorenz , bond exonerated as to defendant Natalia Gomez ; Court J. Hill (bar) (Entered: 04/16/2003)
04/14/2003	<u>25</u>	Minutes: Enter Order by Judge M. J. Lorenz; XE (Pretrial motions) from 3/3/03 to 4/14/03 as to Natalia Gomez ; Court Reporter: N/A (dkt clerk) Modified on 04/17/2003 (Entered: 04/17/2003)
04/14/2003		Docket Modification (Utility Event) XE (Pretrial Motions) from 3/3/03 to 4/14/03 as to Natalia Gomez (dkt clerk) (Entered: 04/22/2003)
04/30/2003	<u>26</u>	Minutes: Enter Order by Magistrate Judge John A. Houston; oral motion of dft to vacate the detention order: denied; Court Reporter: JAH03-1:3974-5326 (dkt clerk) (Entered: 05/01/2003)
07/02/2003	<u>27</u>	SENTENCING DOCUMENT by defendant Jonathan Paul Linder: sentencing memorandum (dkt clerk) (Entered: 07/02/2003)
07/02/2003	<u>28</u>	SENTENCING DOCUMENT by defendant Jonathan Paul Linder: letters in support of dft (dkt clerk) (Entered: 07/02/2003)
07/02/2003	<u>29</u>	STIPULATION to continue sentencing hrg as to defendant Jonathan Paul Linder (dkt clerk) (Entered: 07/02/2003)
07/02/2003	<u>30</u>	ORDER by Judge M. J. Lorenz (signed by Judge Jones) as to defendant Jonathan Paul Linder: PO report and sentencing continued to 8:30 7/18/03 for Jonathan Paul Linder before Judge M. James Lorenz (dkt clerk) Modified on 07/02/2003 (Entered: 07/02/2003)
07/15/2003	<u>31</u>	Application For Order Shortening Time and Order Thereon by Judge M. J. Lorenz as to defendant Jonathan Paul Linder: It is ordered that the government may file its sentencing memorandum (dkt clerk) (Entered: 07/15/2003)

07/15/2003	<u>32</u>	SENTENCING DOCUMENT by plaintiff USA as to defendant Jonathan Paul Linder: sentencing memorandum (dkt clerk) (Entered: 07/15/2003)
07/18/2003	<u>33</u>	Minutes: Enter Order by Judge M. J. Lorenz: PO report and sentencing continued to 8:30 7/25/03 for Jonathan Paul Linder before Judge M. James Lorenz; Court Reporter: J. Hill (dkt clerk) (Entered: 07/21/2003)
07/25/2003	<u>34</u>	Minutes: Enter Order by Judge M. J. Lorenz: sentencing Jonathan Paul Linder (1) count(s) 1 to custody of the BOP for a term of 24 months, 4 years spv release, assessment \$100.00, no fine; Terminating defendant Jonathan Paul Linder; terminating party Jonathan Paul Linder; Court Reporter: J. Hill (dkt clerk) (Entered: 07/28/2003)
07/25/2003		Docket Modification (Utility Event) case terminated (dkt clerk) (Entered: 10/16/2003)
07/29/2003	<u>35</u>	JUDGMENT and Commitment issued to U.S. Marshal for Jonathan Paul Linder by Judge M. J. Lorenz (dkt clerk) (Entered: 07/29/2003)
10/16/2003	<u>36</u>	AMENDED JUDGMENT and Commitment issued to U.S. Marshal for Jonathan Paul Linder by Judge M. J. Lorenz (dkt clerk) (Entered: 10/16/2003)
10/30/2003	<u>37</u>	AMENDED JUDGMENT and Commitment returned executed on 10/1/03 Jonathan Paul Linder (1) count(s) 1 (dkt clerk) (Entered: 10/30/2003)
04/12/2004	<u>38</u>	Dft's Oral Motion by Natalia Gomez to withdraw plea (oral motion made in court 4/12/04) (r1r) (Entered: 04/12/2004)
04/12/2004	<u>38</u>	Minutes: Enter Order by Judge M. J. Lorenz granting motion to withdraw plea [38-1] ; govt's oral motion to dismiss indictment-granted with prejudice; filed judgment of discharge; Court Reporter: Jeannette Hill (r1r) (Entered: 04/12/2004)
04/12/2004		Docket Modification (Utility Event) misc hearing 1 held (r1r) (Entered: 04/12/2004)
04/12/2004		Docket Modification (Utility Event) dismissing counts Natalia Gomez (2) count(s) 1. govt's oral motion to dismiss indictment - grnated with prejudice , case terminated (r1r) (Entered: 04/12/2004)

04/12/2004		Docket Modification (Utility Event) LR , terminating party Natalia Gomez (r1r) (Entered: 04/15/2004)
04/14/2004	<u>39</u>	JUDGMENT of Dismissal for Natalia Gomez by Judge M. J. Lorenz; abstract issued to USMS (r1r) (Entered: 04/16/2004)
04/20/2004	<u>40</u>	JUDGMENT of Dismissal returned executed 4/19/04 , Natalia Gomez (2) count(s) 1 (r1r) (Entered: 04/21/2004)
10/18/2004	<u>41</u>	DISCREPANCY ORDER by Judge M. J. Lorenz rejecting document: Motion for expedited review/motion for court to amd jgm from defendant Jonathan Paul Linder , non-compliance with local rule 5.1.j.4, 7.1.f or 47.1.b.3 or Missing Notice of Motion.(ksr) Modified on 11/04/2004 (Entered: 10/18/2004)
10/28/2004	<u>43</u>	Notice of Motion and Motion by Jonathan Paul Linder to amd/or modify terms or conditions of supv release motion hrg set for 11/12/04 at 2:30 pm (ok per ct)(filed as an ex parte application) (ksr) Modified on 11/19/2004 (Entered: 11/04/2004)
11/03/2004	<u>42</u>	NOTICE of hearing, motion hearing reset for 2:00 11/15/04 for Jonathan Paul Linder before Judge M. James Lorenz (bar) (Entered: 11/03/2004)
11/15/2004	<u>44</u>	Minutes: Enter Order by Judge M. J. Lorenz motion hearing re motion to amend or modify terms or conditions of supervised release continued to 2:00 11/22/04 for Jonathan Paul Linder before Judge M. James Lorenz ; Court Reporter: Melissa Pierson (mam) (Entered: 11/19/2004)
11/22/2004	<u>45</u>	Minutes: Enter Order by Judge M. J. Lorenz finding the motion to amd/or modify terms or conditions of supv release [43-1] moot. motion hrg held ; Court Reporter: Jeannette Hill (ksr) (Entered: 11/23/2004)
05/19/2006	<u>46</u>	USPO Petition for Warrant or Summons for Offender Under Supervision and Order thereon by Judge M. J. Lorenz : No bail bench warrant ordered as to defendant Jonathan Paul Linder (av1) (Entered: 05/19/2006)
05/19/2006	<u>47</u>	Warrant issued for Jonathan Paul Linder by Judge M. J. Lorenz (av1) (Entered: 05/19/2006)
03/09/2007		***Location start as to Jonathan Paul Linder (mjj,) (Entered: 03/13/2007)

03/13/2007	●48	No-Bail Arrest Warrant Returned Executed on 3/9/2007. in case as to Jonathan Paul Linder. (mjj,) (Entered: 03/13/2007)
05/25/2007	●49	Probation Jurisdiction Transferred to Northern District of California as to Jonathan Paul Linder Transmitted Transfer of Jurisdiction form, with certified copies of indictment, judgment and docket sheet. (Attachments: # 1 Transfer Letter) (transfer package sent)(mjj,) (Entered: 05/29/2007)